

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

CYNTHIA BROWN, et al.,

Plaintiffs,

v.

**DAVID YOST, in his official capacity as
Ohio Attorney General,**

Defendant.

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Case No. 2:24-cv-01401

Judge James Lowell Graham

Mag. Judge Elizabeth Preston Deavers

JOINT MOTION TO STAY DISCOVERY PENDING INTERLOCUTORY APPEAL

The parties hereby jointly move the Court to stay discovery and vacate the currently-scheduled May 14, 2024 deadline for filing their Fed. R. Civ. P. 26(f) report, pending Plaintiffs' interlocutory appeal to the Sixth Circuit (Case No. 24-3354).

On April 25, 2024, this Court denied Plaintiffs' motion for a temporary restraining order and preliminary injunction. Opinion and Order, Doc. 21 at PageID #203. Plaintiffs filed a notice of appeal of that order on April 26, 2024. Not. of App., Doc. 23 at PageID #223. On May 2, 2024, the Sixth Circuit ordered expedited briefing in that case, with Appellants' principal brief due May 6, 2024, Appellees' principal brief due May 13, 2024, and Appellants' reply brief due May 17, 2024. *Brown v. Yost*, 6th Cir. Case No. 24-3354, Doc. 16 at p. 1 (May 2, 2024).

The parties have conferred and, in the interest of judicial economy and the preservation of time and resources, jointly move this Court for an order staying discovery in this case, pending the conclusion of Plaintiffs' interlocutory appeal and the Sixth Circuit's relinquishment of jurisdiction over the same. The parties further request that this Court vacate and continue the associated deadline for filing their Fed. R. Civ. P. 26(f) report, currently scheduled for May 14, 2024.

Finally, the parties believe that granting the foregoing request would obviate the need for the telephonic preliminary pretrial currently scheduled for May 21, 2024. The parties defer to the Court's sound discretion in that regard but have no objection to a continuance of that conference consistent with the stay requested herein.

Respectfully submitted,

DAVE YOST
Ohio Attorney General

/s/ Julie M. Pfeiffer

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/s/ Mark R. Brown (approved via email 5/14/2024)

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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2024, a copy of the foregoing *Joint Motion to Stay Discovery Pending Interlocutory Appeal* was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing. Parties have access to this filing through the Court's system.

/s/ Julie M. Pfeiffer

JULIE M. PFEIFFER (0069792)

Assistant Attorney General